

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 16, 2000**

**DIVISION THREE**

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B131218 People v. Vasquez  
B130311 People v. Cruz  
B132431 People v. Morris  
B133800 People v. Buckley  
B126544 People v. Lee  
B127884 People v. Brown  
B131496 People v. Fraid  
B132252 People v. Good  
B133698 People v. Alex T.  
B134410 People v. Eleadoro B.  
B135361 People v. Brent C.  
B136322 People v. Walker

Argument waived, cause submitted.

B134830      Gasparyan et al.  
                 v.  
                 Sipan et al.

Merits:

Argued by Joan E. Hewitt for appellants and by Robert M. Victor for respondents. Cause submitted.

DIVISION THREE (Continued)

B131614     Martin  
              v.  
              Eastern Mortgage Co., et al.

Merits:

Argued by Michael H. Lapidus for appellant and by Maria Ronchetto for respondents. Supplemental letter brief due by respondent on May 23, 2000, response by the appellant due on June 1, 2000. Cause submitted.

B132463     Nowakowski  
              v.  
              Nowakowski

Merits:

Argued by Leslie Ellen Shear for appellant and by Arthur Goldberg for respondent. Cause submitted.

B139562     United Food & Commercial Workers Union et al.  
B139686     v.  
              S.C.L.A.  
              Gigante USA, Inc.

Merits:

Argued by Laurence D. Steinsapir and Robert A. Cantore for petitioners and by Ronald H. Barsamian for real party in interest. Cause submitted.

B130412     R.P. Richards, Inc.  
B131672     v.  
              Chartered Construction Corp., et al.

Merits:

Argued by John C. Herrig for appellant and by C. Phillip Jackson and Joseph M. Giden for respondents. Cause submitted.

DIVISION THREE (Continued)

B125128     Carter  
              v.  
              Cigna Specialty Insurance Company  
              Mendes & Mount

Merits:

Argued by Michael J. Weaver for appellant and by Steven Glaser for respondent. Cause submitted.

B233656     Stevedoring Services of America  
              v.  
              State Compensation Insurance Fund

Merits:

Argued by Alan Goldberg for appellant and by Andre Cronthall for respondent. Cause submitted.

Court recessed at 1:00 P.M.

Court reconvened at 2:00 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B123668     People  
              v.  
              Feldmeth

Merits:

Argued by Suzanne H. Paboojian for appellant and by Russell A. Lehman, deputy attorney general, for respondent. Cause submitted.

B132993     People  
              v.  
              Hansen

Merits:

Argued by Rachel Housman for appellant and by Rama R. Maline, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (Continued)

B134624     People  
              v.  
              Macias

Merits:

Argued by Enid Ballantyne for appellant and by Jennevee H. de Guzman, deputy attorney general, for respondent. Cause submitted.

B126720     People  
              v.  
              Helms

Merits:

Argued by Maxine Weksler for appellant and by Sanjay T. Kumar, deputy attorney general, for respondent. Supplemental brief due by the respondent on June 2, 2000, response by the appellant due on June 16, 2000. Submission deferred.

B122886     Miller  
              v.  
              Saad

Merits:

Argued by Joseph F. Hart for appellant and by Edgar B. Pease for respondent. Cause submitted.

B123358     The Ad-Sert Group, Inc.  
B118849     v.  
              Gulf Insurance Co., et al.

Merits:

Argued by Jay M. Coggan for appellant and by Lawrence Borys and Alan B. Yuter for respondents. Cause submitted.

Court adjourned at 3:20 P.M.

DIVISION FOUR

B132286      People                                  (Not for Publication)  
v.  
Johnson

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The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

B133234      Ukra  
v.  
Greenberg, Glusker, Fields, Claman & Machtinger and Collins

Filed order denying petition for rehearing.

DIVISION FIVE

B129184      Robert Jeffrey et al.      (Not for Publication)  
v.  
David M. Callister

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

DIVISION FIVE (Continued)

B130410      Truck Insurance Exchange                      (Not for Publication)  
                 v.  
                 Calabasas Colony Townhomes

The judgment is affirmed. Association is to pay Truck's costs on appeal.

Grignon, J.

We concur:   Turner, P.J.  
                 Godoy Perez, J.

B139987      Mirtha Jimenez    (Not for Publication)  
                 v.  
                 Superior Court, Los Angeles County  
                 (John A. Ware et al., r.p.i.)

The petition for writ of mandate is granted. Costs of this proceeding are awarded to petitioner.

Grignon, Acting P.J.

We concur:   Godoy Perez, J.  
                 Weisman, J. (Assigned)

B136053      People    (Not for Publication)  
                 v.  
                 Mara K.

The judgment is affirmed.

Grignon, J.

We concur:   Turner, P.J.  
                 Armstrong, J.

DIVISION FIVE (Continued)

B132748      County of Los Angeles      (Not for Publication)  
v.  
Civil Service Commission of County of Los Angeles  
Daniel Gonzales

The judgment is reversed. Gonzales is to pay Assessor's costs on appeal.

Grignon, J.

We concur: Turner, P.J.  
Godoy Perez, J.

B130196      People      (Not for Publication)  
v.  
Charles Murphy

The judgment is affirmed.

Weisman, J. (Assigned)

We concur: Turner, P.J.  
Armstrong, J.

DIVISION SIX

B130986      People      (Not for Publication)  
v.  
Lima

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

DIVISION SIX (Continued)

B135703      Braun (Peterson)                      (Not for Publication)  
                 v.  
                 Braun

The judgment (order) is affirmed. Costs on appeal are awarded to respondent.

Gilbert, P.J.

We concur:   Coffee, J.  
                 Perren, J.

B133632      Touch Up, Inc.                              (Not for Publication)  
                 v.  
                 Arroyo Vista Partners

The judgment is affirmed. Costs are awarded to respondent.

Yegan, J.

We concur:   Gilbert, P.J.  
                 Coffee, J.

B126752      People    (Not for Publication)  
                 v.  
                 Moralez

The judgment is affirmed.

Yegan, J.

We concur:   Gilbert, P.J.  
                 Coffee, J.



## DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B127698 People (Not for Publication)  
v.  
Jones

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

## DIVISION SEVEN

B121766      Kirkwood      (Not for Publication)  
v.  
Texaco Refining and Marketing, Inc.

The judgment is affirmed as to the claims for harassment and punitive damages, reversed as to the claim for discrimination, and the award of attorney fees; and remanded for further proceedings consistent with this opinion. Appellant shall recover his costs on appeal.

Neal, J.

We concur:   Johnson, Acting P.J.  
                      Woods, J.

## DIVISION SEVEN (Continued)

B128336      Rutter                                  (Not for Publication)  
v.  
Whitmore et al.

The judgment in favor of the Rutter cross-defendants and the order of dismissal in favor of Polygon are affirmed. Respondents (the Rutter cross-defendants and Polygon) are awarded costs on appeal.

Woods, J.

We concur: Johnson, Acting P.J.  
Neal, J.

B134679      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Paul M.

In re Madison M., a Person Coming Under the Juvenile Court Law.

The appeal is dismissed.

Woods, J.

We concur: Johnson, Acting P.J.  
Neal, J.

B132874      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Cynthia S.

In re Rena H., a Person Coming Under the Juvenile Court Law.

The order is affirmed.

Woods, J.

We concur:   Lillie, P.J.  
                      Johnson, J.

## DIVISION SEVEN (Continued)

[illegible]

The judgment is affirmed.

Woods, J.

We concur:   Lillie, P.J.  
                      Neal, J.

[illegible]

The judgment of conviction is reversed, and the case is remanded for a new trial consistent with this opinion.

Woods, J.

We concur: Lillie, P.J.  
Neal, J.

B132830 People (Not for Publication)  
v.  
Lemelle

The judgment is affirmed.

Neal, J.

We concur: Johnson, Acting P.J.  
Woods, J.

## DIVISION SEVEN (Continued)

B131986 People (Not for Publication)  
v.  
Sawyer

The judgment is affirmed.

Neal, J.

We concur: Johnson, Acting P.J.  
Woods, J.

B132992      People      (Not for Publication)  
v.  
Santistevan

The judgment is reversed and the cause is remanded for further proceedings consistent with the views expressed in this opinion.

Woods, J.

We concur:   Lillie, P.J.  
                      Neal, J.